

PTO-1390 (Rev. 07-2005) Approved for use through 3/31/2007. OMB 0651-0021 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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#### TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATEDIES ECTED DESICE (DO/EO/US)

ATTORNEY'S DOCKET NUMBER 050 - 3 - 1

	CERNING A SUBMISSIC	OFFICE (DO/EO/03) ON UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (Oxfolyn/see 37 CFR 1.5)				
INTERNAT	IONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED				
_	GB2004/0009 <b>0</b>	3/3/2004	April 4, 2003				
	TITLE OF INVENTION Improved Method of Resistance Management for Transgenic Crops						
	T(S)FOR DO/EO/US gh, Martin and Mc(						
			D/US) the following items and other information:				
1. 🗹 1	This is a FIRST submission of items co	ncerning a submission under 35 U.S.C. 371	l.				
2. 🔲 1	his is a SECOND or SUBSEQUENT s	ubmission of items concerning a submissio	n under 35 U.S.C. 371.				
	his is an express request to begin nati (5), (6), (9) and (21) indicated below.	onal examination procedures (35 U.S.C. 37	1(f)). The submission must include items				
4. 🔲 1	The US has been elected (Article 31).						
5. 🔽	A copy of the International Application	n as filed (35 U.S.C. 371(c)(2))					
	a. is attached hereto (required	only if not communicated by the Internation	nal Bureau).				
	b. has been communicated by	the International Bureau.					
	c. is not required, as the appli	cation was filed in the United States Receiv	ing Office (RO/US).				
6.	An English language translation of th	e International Application as filed (35 U.S.C	C. 371(c)(2)).				
	a. is attached hereto.						
	b. has been previously submi	tted under 35 U.S.C. 154(d)(4).					
7.	Amendments to the claims of the Inte	ernational Application under PCT Article 19	(35 U.S.C. 371(c)(3))				
	a. are attached hereto (requi	red only if not communicated by the Interna	tional Bureau).				
	b. have been communicated	by the International Bureau.					
	c. have not been made; how	ever, the time limit for making such amendr	nents has NOT expired.				
	d. have not been made and	will not be made.					
8.	An English language translation of the	ne amendments to the claims under PCT Ar	ticle 19 (35 U.S.C. 371(c)(3)).				
9. 🔲	An oath or declaration of the inventor	(s) (35 U.S.C. 371(c)(4)).					
10.	An English language translation of th Article 36 (35 U.S.C. 371(c)(5)).	e annexes of the International Preliminary E	Examination Report under PCT				
Items	11 to 20 below concern document(s	s) or information included:					
11.	An Information Disclosure Statement	under 37 CFR 1.97 and 1.98.					
12. 🔲	An assignment document for recording	ng. A separate cover sheet in compliance w	ith 37 CFR 3.28 and 3.31 is included.				
13. 🗹	A preliminary amendment.						
14. 🗹	An Application Data Sheet under 37	CFR 1.76.					
15.	A substitute specification.						
16.	A power of attorney and/or change of	f address letter.					
17.	A computer-readable form of the seq	uence listing in accordance with PCT Rule	13 <i>ter.</i> 2 and 37 CFR 1.821- 1.825.				
18.	A second copy of the published Inter	national Application under 35 U.S.C. 154(d)	(4).				
19.	A second copy of the English langua	ge translation of the international application	n under 35 U.S.C. 154(d)(4).				

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Page 1 of 3

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U.S. APPLICATION NO. (if known see 37 CER 15)  INTERNATIONAL APPLICATION NO.  PCT/GB2004/000901				ATTORNEY'S DOCKET NUMBER 050-3-1				
20. Other	20. Other items or information:							
		•						
The follo	owing fees have b	een submitted			CALCULATIONS	PTO USE ONLY		
21. 🔽 Basi	c national fee (37	CFR 1.492(a))		\$300	300			
22. Exam	nination fee (37 CF	R 1.492(c))						
by IPEA/	US indicates all cl	aims satisfy provi	rnational preliminary examinat sions of PCT Article 33(1)-(4).	\$0	\$ ZoO °9°			
23. N Sear	rch fee (37 CFR 1.	.492(b))			200			
If the written opin	ion of the ISA/US	or the Internation	al preliminary examination repose of PCT Article 33(1)-(4)					
Search fee (37 C	FR 1.445(a)(2)) ha	as been paid on t	he international application to	the USPTO as an	\$			
International Sea	rch Report prepar	ed by an ISA othe	er than the US and provided to	the Office or				
					500 %			
	TOTAL OF 21, 22	2 and 23 =	'-		100000			
sequence sequence	e listing in complia	ince with 37 CFR	d in paper over 100 sheets (e. 1.821(c) or (e) or computer pi	xcluding rogram listing in an				
	c medium) (37 CF s \$250 for each ad		s of paper or fraction thereof.					
Total Sheets	Extra Sheets	•	additional 50 or fraction up to a whole number)	RATE				
- 100 =	/50 =			× \$250	\$	I		
			th fee, examination fee, or the le (37 CFR 1.492(h)).	oath or declaration	\$			
CLAIMS	NUMB	ER FILED	NUMBER EXTRA	RATE	\$			
Total claims		24-20=	М	x \$50	\$ 200 09			
Independent claims		3 -3=	0	× \$200	\$			
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360					\$			
TOTAL OF ABOVE CALCULATIONS =  Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$ 200			
SUBTOTAL =					\$ 12,5000			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest				\$ 1200-	<u>.l.,</u>			
claimed priority date (37 CFR 1.492(i)). +					2 00			
TOTAL NATIONAL FEE =					\$ 1200			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					\$			
TOTAL FEES ENCLOSED =					\$ 120000			
					Amount to be refunded:	\$		
				·	Amount to be charged	\$1200 %x		

## 10/551894

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a. A check in the amount of \$	a. A check in the amount of \$ to cover the above to	IC20 Rec'd PCT/PTO 04 OCT 200
Account No. 07-019 M duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Dana Rewoldt  Garst Seed Company 2369 330th St, PO Box 500 Slater, IA 50244  Dana Rewoldt  NAME Dana Rewoldt  Dana Rewoldt  NAME Dana Rewoldt  Dana Rewoldt  Dana Rewoldt	b. Please charge my Deposit Account No. 07-0190n the amount of \$ 1	200 to cover the above fees.
be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Dana Rewoldt  Garst Seed Company 2369 330th St, PO Box 500 Slater, IA 50244  Dana Rewoldt  NAME Dana Rewoldt  NAME Dana Rewoldt  Dana Rewoldt  NAME Dana Rewoldt  NAME Dana Rewoldt	c. X The Commissioner is hereby authorized to charge any additional fees which Account No. 07-019. A duplicate copy of this sheet is enclosed.	may be required, or credit any overpayment to Deposit
and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Dana Rewoldt  Garst Seed Company 2369 330th St, PO Box 500 Slater, IA 50244  SIGNATURE  Dana Rewoldt  NAME  Dana Rewoldt 33,762		
Dana Rewoldt  Garst Seed Company 2369 330th St, PO Box 500 Slater, IA 50244  SIGNATURE  Dana Rewoldt  NAME  Dana Rewoldt 33,762		petition to revive (37 CFR 1.137(a) or (b)) must be filed
	Dana Rewoldt Garst Seed Company 2369 330th St, PO Box 500	Dana Rewoldt  NAME  Dana Rewoldt 33,762

### JC04 Rec'd PCT/PT0 U4 OCT 2005 10/551894

#### **EXPRESS MAIL CERTIFICATION UNDER 37 C.F.R. 1.10**

Express Mail Mail	ing Numbe	r <u>ED905584895US</u>	
Date of Deposit _	October	4, 2005	

I hereby certify that the attached hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- (1) Transmittal Letter Concerning a Submission Under 35 USC 371 consisting of 3 pages (in duplicate)
- (2) Copy of International Application consisting of 12 pages (front & back)
- (3) Copy of International Search Report consisting of 2 pages
- (4) Patent Application Data Sheet consisting of 3 pages
- (5) Preliminary Amendment consisting of 7 pages

(6) Postcard

Dana S. Rewoldt

Docket No. 050-3-1